

REMARKS

In response to the Office Action dated September 6, 2001, which was made final, claims 1-3, 15, 17, 28 and 30 have been amended. Claims 1-41 are pending in the application. No new matter has been added. Reexamination and reconsideration of the claims as requested is respectfully requested.

In paragraph 2 on page two of the Office Action, claims 1-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kagen et al. in view of Eiba. According to the Office Action, Kagen teaches the invention substantially as claimed. However, according to the Office Action, Kagen does not disclose using various networks and various phone technology for gaming. Nevertheless, according to the Office Action, Eiba discloses the use of a game system that can be used by a number of players with various playing devices at a distance from each other. Additionally, according to the Office Action, Eiba inherently uses an addressed connection.

Applicants respectfully traverse these rejections, but in the interest of expediting prosecution Applicants have amended the claims to more particularly distinguish Applicants' invention. Applicants respectfully submit that the cited references, taken alone or in combination, do not disclose, teach or suggest the invention. Applicants respectfully submit that there are patentable differences between the cited references and Applicants' invention as recited in the claims. Applicants' invention differs from the cited references in at least the following respects.

Applicants' invention describes a method and a system whereby players at remote locations can play games. Among other things, Applicants' invention provides

for connection of a number of mobile phones to a communication network for playing a game. An identification for playing purposes is provided for each of the mobile phones and the mobile phones are connected using their identifications for playing purposes. A game scenario is set up for each of the plurality of mobile phones and game signals are transmitted between the plurality of mobile phones across the network using the identifications for playing purposes.

As admitted by the Office Action, Kagen fails to disclose using various networks and various phone technology. Accordingly, Kagen fails to disclose connecting a plurality of mobile phones together through a network requiring addressed connections for playing a game. Rather, Kagen merely teaches a wireless local area network (LAN) for establishing an "all-to-all" broadcast network. Kagen utilizes a broadcast protocol so that each playing device transmits transmission packets that are receivable by all other players listening on the broadcast channel. In contrast to Applicants' invention, Kagen does not even consider providing an identity dedicated for playing purposes, or transmitting game signals across a network using the identifications for playing purposes. In contrast to the present invention, Kagen fails, at least, to disclose providing an identity for playing purposes for each of a number of mobile phones, connecting the mobile phones using the identifications for playing purposes, or transmitting game signals between the mobile phones using the identifications for playing purposes.

Eiba fails to remedy the deficiencies of Kagen. In Eiba, game devices are connected over a telecommunication link to a receiver for data sent from the game devices to a central computer. A transmitter is connected to the central computer to

transmit a winning symbol from the transmitter to the gaming devices, wherein the symbol is displayed on the game devices. For example, in Eiba, a winning number is drawn by a random number generator of the central computer, e.g., three cherries, three aces, or three crowns, and transmitted to the individual game devices to be displayed on that individual game devices' displays.

In contrast to the Applicants' invention, Eiba, at least, does not consider transmitting game signals between a number of mobile phones through a network, allowing an interactive game to be played by remote users. In further contrast, Eiba does not disclose providing an identification for gaming purposes to each of a number of mobile phones and using these identifications for transmitting game signals between the mobile phones.

Kagen and Eiba, alone or in combination, fail to disclose all of the elements of Applicants' invention. Therefore, in view of the above remarks, Applicants' claims 1, 15 and 28 are patentable over the combination of Kagen and Eiba.

Furthermore, to establish a *prima facie* case of obviousness by a combination of references, there must be some suggestion or motivation to combine the reference teachings. In this case, neither reference discloses providing identification for each of a number of mobile phones for gaming purposes and using the identifications for connecting the mobile phones and transmitting game signals between the mobile phones across the network using the identifications for playing purposes. Kagen discloses a wireless local area network (LAN) for establishing an "all-to all" broadcast network. Eiba discloses a gaming device wherein a number of players are connected to a common host computer. Eiba's system does not teach or

suggest a method for interaction between users. There is no suggestion or motivation to combine Kagen and Eiba to arrive at the method of the invention for providing an identification for gaming for each of a plurality of mobile phones so that the mobile phones may be coupled together through a communications network using the identifications for gaming.

Finally, to establish a *prima facie* case of obviousness through a combination of references, there must be a reasonable expectation of success. In this case, however, all of the elements of the invention are not taught or suggested by the prior art references, or the references when combined. Accordingly, there can be no expectation that the combination of reference teachings will lead to the invention when the references fail to encompass all of the invention elements.

Therefore, Applicants submit that a *prima facie* case of obviousness has not been made and Applicants' invention as set forth in the independent claims is patentable over the combination of Kagen and Eiba.

Because claims 2-14, 16-27 and 29-41, which depend directly or indirectly from the independent claims 1, 15 and 28, respectively, include the features recited in the independent claims as well as additional features, Applicants respectfully submit that claims 2-14, 16-27 and 29-41 are also patentably distinct over the cited references. Nevertheless, Applicants are not conceding the correctness of the Examiner's rejection with respect to such dependent claims and reserves the right to make additional arguments if necessary.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

Respectfully submitted,

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Date: Dec. 5, 2001

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APPENDIX A
MARKED-UP AMENDMENTS TO THE SPECIFICATION AND CLAIMS
IN THE CLAIMS

Please amend claim 1-3, 15, 17, 28 and 30 as follows:

1. (Amended Twice) A method for playing games between players at remote locations;
connecting a plurality of mobile phones [together through a network requiring addressed connections] to a communication network for playing a game;
providing identification for each of the plurality of mobile phones, said identification being dedicated for playing purposes;
connecting the plurality of mobile phones together using said identifications dedicated for playing purposes;
setting up a game scenario for each of the plurality of mobile phones; and
transmitting game signals between the plurality of mobile phones across the network using the identifications for playing purposes.
2. (Amended) The method of claim 1, wherein at least [two of the plurality of mobile phones are remotely located] one of the plurality of mobile phones are connected to the communication network through low power RF link.

3. (Amended Twice) The method of claim 1 wherein the [network includes a local area network] identification for playing purposes provided for each of the plurality of mobile phones is a low power RF link telephone number.

15. (Amended Twice) A mobile phone, comprising:
a key pad for dialing, for controlling menu operation and for entering phone control functions;
a display for showing keypad entries and a game scenario;
a controller for processing user input and for controlling the display, the controller providing identification for playing purposes and using a transceiver to connect the mobile phone to at least one other mobile phone through a network [requiring addressed connections] using said identifications for playing purposes for playing an interactive game and transmitting game signals to the network for reception by the at least one other mobile phone.

17. (Amended Twice) The mobile phone of claim 15 wherein the [network includes a local area network] identification for playing purposes is a low power RF link telephone number.

28. (Amended Twice) An interactive game system, comprising:

a network; and

a plurality of mobile phones coupled together through the network, each of the mobile phones comprising a controller for processing user input and for controlling a display, the controller providing identification for playing purposes and connecting the mobile phones through a network [requiring addressed connections] using a transceiver using said identifications for playing purposes for playing an interactive game and transmitting game signals to the network.

30. (Amended Twice) The interactive game system of claim 28 wherein the [network includes a local area network] identification for playing purposes is a low power RF link telephone number.